

INTELLECTUAL PROPERTY DEPARTMENT  
HUNTON & WILLIAMS LLP  
1900 K STREET, N.W.  
WASHINGTON, D.C. 20006-1109

TEL 202 • 955 • 1500  
FAX 202 • 778 • 2201

Robert M. Schulman  
Direct Dial: 202-955-1928  
EMAIL: RSCHULMAN@HUNTON.COM

Jeffrey T. Perez  
direct dial: 202-955-1902  
email: JPerez@HUNTON.COM

FILE NO: 54719.000099



December 5, 2003

### UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket Number: **54719.000099**

First Named Inventor: **PICCARIELLO et al.**

Title: **ACTIVE AGENT DELIVERY SYSTEMS AND METHODS FOR PROTECTING  
AND ADMINISTERING ACTIVE AGENTS**

Customer No. **21967**

TO: **MAIL STOP PATENT APPLICATION**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached are the following for filing with the U.S. Patent and Trademark Office:

1. ☒ Fee Transmittal Form (original and duplicate)
2. ☒ Small Entity Status Claimed: ☐ Independent Inventor  
☒ Small Business Concern  
☐ Non-Profit Organization
3. ☒ Specification - Total Pages: 23 (Including Abstract)

The PTO did not receive the following  
listed item(s) 3 pages of Specification

**MAIL STOP PATENT APPLICATION**

December 5, 2003

Page 2

CLAIMS AS FILED						
	Claims Filed	Basic Fee Claims	Extra	Rate		Amount
				Large Entity	Small Entity	
Total Claims	15	20	0	\$ 18.00	\$ 9.00	\$ 0.00
Independent Claims	2	3	0	\$ 86.00	\$ 43.00	\$ 0.00
First Presentation of Multiple Dependent Claims				\$ 290.00	\$ 145.00	\$ 0.00
<b>BASIC FEE</b>				\$ 770.00	\$ 385.00	\$ 385.00
<b>TOTAL FILING FEE</b>						\$ 350.00
Assignment Recordation Fee						\$ 0.00
<b>TOTAL AMOUNT</b>						<b>\$ 385.00</b>

4. ☒ Drawings - Total Sheets: 5 (Fig(s). 1-5)

5. Oath or Declaration - Total Pages: 4

a. ☒ Copy from a prior application  
(for continuation/divisional with Box 18 completed)

6. ☒ Assignee/Applicant: New River Pharmaceuticals Inc. The Governor Tyler, 1902 Downey Street, Radford, Virginia 24060 USA

☒ Assignment and Assignment Recordation Form Submitted Herewith

☒ Assignee of Record in Prior Application No. 09/642,820 :  
New River Pharmaceuticals Inc. The Governor Tyler, 1902 Downey Street Radford, Virginia 24060 USA  
recorded on 01/04/2001 at Reel 011401, Frame 0605.

7. ☒ Return Receipt Postcard

8. ☒ Priority is Claimed as Follows:  
US Appl. 09/642,820 filed August 22, 2000

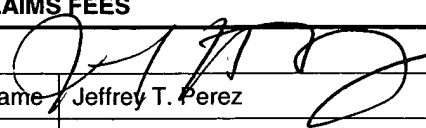
9. ☐ Continuation ☒ Divisional ☐ Continuation-in-Part of  
Prior Application No.: 09/642,820 filed August 22, 2000

Prior appl. information: Examiner Jeffrey E. RUSSEL Group Art Unit 1653

## FEE TRANSMITTAL

## MAIL STOP Patent Application

Complete If Known

Total Amount Of Payment (\$)		385		Attorney Docket No.		54719.000099																																							
<b>METHOD OF PAYMENT (check one)</b>				<b>FEE CALCULATION (continued)</b>																																									
1. <input checked="" type="checkbox"/> The Commissioner for Patents is hereby authorized to charge indicated fees and credit any over payments to <b>Deposit Account No. 50-0206</b> in the name of Hunton & Williams LLP.				<b>3. ADDITIONAL FEES</b>																																									
2. <input checked="" type="checkbox"/> Check Enclosed. The Commissioner for Patents is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to <b>Deposit Account No. 50-0206</b> in the name of Hunton & Williams LLP, 1900 K Street, N.W., Suite 1200, Washington, D.C. 20006-1109.				<table border="1"> <thead> <tr> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td><input type="checkbox"/> Surcharge - late filing fee or oath</td><td>\$</td></tr> <tr><td><input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet</td><td>\$</td></tr> <tr><td><input type="checkbox"/> _____ Month Extension of Time</td><td>\$</td></tr> <tr><td><input type="checkbox"/> Notice of Appeal</td><td>\$</td></tr> <tr><td><input type="checkbox"/> Filing Brief in Support of Appeal</td><td>\$</td></tr> <tr><td><input type="checkbox"/> Request for Oral Hearing</td><td>\$</td></tr> <tr><td><input type="checkbox"/> Utility Issue Fee (or Reissue) (including Publication Fee, if necessary)</td><td>\$</td></tr> <tr><td><input type="checkbox"/> Design Issue Fee</td><td>\$</td></tr> <tr><td><input type="checkbox"/> Plant Issue Fee</td><td>\$</td></tr> <tr><td><input type="checkbox"/> Petition to Commissioner</td><td>\$</td></tr> <tr><td><input type="checkbox"/> Petition to Revive (Unavoidable)</td><td>\$</td></tr> <tr><td><input type="checkbox"/> Petition to Revive (Unintentional)</td><td>\$</td></tr> <tr><td><input type="checkbox"/> Petitions Related to Provisional Applications</td><td>\$</td></tr> <tr><td><input type="checkbox"/> Submission of Information Disclosure Statement</td><td>\$</td></tr> <tr><td><input type="checkbox"/> Filing Submission After Final Rejection</td><td>\$</td></tr> <tr><td><input type="checkbox"/> Recording Each Patent Assignment Per Property</td><td>\$</td></tr> <tr><td><input type="checkbox"/> Filing Request for Reexamination</td><td>\$</td></tr> <tr><td><input type="checkbox"/> Other (specify) _____</td><td>\$</td></tr> </tbody> </table>				Fee Description	Fee Paid	<input type="checkbox"/> Surcharge - late filing fee or oath	\$	<input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet	\$	<input type="checkbox"/> _____ Month Extension of Time	\$	<input type="checkbox"/> Notice of Appeal	\$	<input type="checkbox"/> Filing Brief in Support of Appeal	\$	<input type="checkbox"/> Request for Oral Hearing	\$	<input type="checkbox"/> Utility Issue Fee (or Reissue) (including Publication Fee, if necessary)	\$	<input type="checkbox"/> Design Issue Fee	\$	<input type="checkbox"/> Plant Issue Fee	\$	<input type="checkbox"/> Petition to Commissioner	\$	<input type="checkbox"/> Petition to Revive (Unavoidable)	\$	<input type="checkbox"/> Petition to Revive (Unintentional)	\$	<input type="checkbox"/> Petitions Related to Provisional Applications	\$	<input type="checkbox"/> Submission of Information Disclosure Statement	\$	<input type="checkbox"/> Filing Submission After Final Rejection	\$	<input type="checkbox"/> Recording Each Patent Assignment Per Property	\$	<input type="checkbox"/> Filing Request for Reexamination	\$	<input type="checkbox"/> Other (specify) _____	\$
Fee Description	Fee Paid																																												
<input type="checkbox"/> Surcharge - late filing fee or oath	\$																																												
<input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet	\$																																												
<input type="checkbox"/> _____ Month Extension of Time	\$																																												
<input type="checkbox"/> Notice of Appeal	\$																																												
<input type="checkbox"/> Filing Brief in Support of Appeal	\$																																												
<input type="checkbox"/> Request for Oral Hearing	\$																																												
<input type="checkbox"/> Utility Issue Fee (or Reissue) (including Publication Fee, if necessary)	\$																																												
<input type="checkbox"/> Design Issue Fee	\$																																												
<input type="checkbox"/> Plant Issue Fee	\$																																												
<input type="checkbox"/> Petition to Commissioner	\$																																												
<input type="checkbox"/> Petition to Revive (Unavoidable)	\$																																												
<input type="checkbox"/> Petition to Revive (Unintentional)	\$																																												
<input type="checkbox"/> Petitions Related to Provisional Applications	\$																																												
<input type="checkbox"/> Submission of Information Disclosure Statement	\$																																												
<input type="checkbox"/> Filing Submission After Final Rejection	\$																																												
<input type="checkbox"/> Recording Each Patent Assignment Per Property	\$																																												
<input type="checkbox"/> Filing Request for Reexamination	\$																																												
<input type="checkbox"/> Other (specify) _____	\$																																												
<b>FEE CALCULATION</b>																																													
1. <b>BASIC FILING FEE</b> <input type="checkbox"/> Large Entity <input checked="" type="checkbox"/> Small Entity																																													
				<b>FEE PAID</b>																																									
Utility Filing Fee				\$ 385																																									
Design Filing Fee				\$																																									
Plant Filing Fee				\$																																									
Reissue Filing Fee				\$																																									
Provisional Filing Fee				\$																																									
<b>2. EXTRA CLAIMS FEES</b>																																													
<b>CLAIMS AS AMENDED</b>																																													
For	Number Present	Highest Number Paid For	Extra	Rate		Amount																																							
				Large Entity	Small Entity																																								
TOTAL CLAIMS	15	20	0	x \$ 18.00	x \$ 9.00	\$ 0.00																																							
INDEPENDENT CLAIMS	2	3	0	x \$ 86.00	x \$ 43.00	\$ 0.00																																							
MULTIPLE DEPENDENT CLAIMS				\$ 290.00	\$ 145.00	\$ 0.00																																							
<b>TOTAL EXTRA CLAIMS FEES</b>						<b>\$ 0.00</b>																																							
SUBMITTED BY 						Complete (if applicable)																																							
Typed or Printed Name Jeffrey T. Perez						Registration No.	52,110																																						
Signature						Date	December 5, 2003																																						

**MAIL STOP PATENT APPLICATION**

December 5, 2003

Page 3

10. Please address all correspondence to:

☒ **CUSTOMER NUMBER 21967**

**Robert M. Schulman**  
Intellectual Property Department  
Hunton & Williams LLP  
1900 K Street, N.W.  
Suite 1200  
Washington, DC 20006-1109

11. ☒ A new power of attorney or authorization of agent (PTO/SB/81) is as follows:

☒ The power of attorney is to: Stanislaus Aksman, Reg. No. 28,562; Jennifer A. Albert, Reg. No. 32,012; Thomas E. Anderson, Reg. No. 37,063; David E. Baker, Reg. No. 42,285; Scott D. Balderston, Reg. No. 35,436; Carl L. Benson, Reg. No. 38,378; Thomas Blasey, Reg. No. 33,475; Bradford Blaise, Reg. No. 47,429; Thomas D. Bradshaw, Reg. No. 51,492; J. Robert Brown, Jr., Reg. No. 45,438; Tyler S. Brown, Reg. No. 36,465; Brian M. Buroker, Reg. No. 39,125; Christopher C. Campbell, Reg. No. 37,291; Katherine S. Chang, Reg. No. 40,544; Robin C. Clark, Reg. No. 40,956; Trevor Q. Coddington, Reg. No. 46,633; Christopher J. Cuneo, Reg. No. 42,450; Ryan S. Davidson, Reg. No. 51,596; Patrick A. Doody, Reg. No. 35,022; Dinnatia J. Doster, Reg. No. 45,268; Kevin T. Duncan, Reg. No. 41,495; Kevin J. Dunleavy, Reg. No. 32,024; David D'Zurilla, Reg. No. 36,776; Ozzie A. Farres, Reg. No. 43,606; Nancy J. Flint, Reg. No. 46,704; Christopher J. Forstner, Reg. No. 46,049; James G. Gatto, Reg. No. 32,694; George Georgellis, Reg. No. 43,632; Charles F. Hollis, III, Reg. No. 40,650; David M. Huntley, Reg. No. 40,309; Nancy J. Jensen, Reg. No. 45,913; David A. Kelly, Reg. No. 53,106; Herbert V. Kerner, Reg. No. 42,721; Steven P. Klocinski, Reg. No. 39,251; Robert C. Lampe, III, Reg. No. 51,914; Jeffrey S. Leaning, Reg. No. 51,184; Jonathan D. Link, Reg. No. 41,548; Charles B. Lobsenz, Reg. No. 37,857; Ryan S. Loveless, Reg. No. 51,970; Tyler Maddry, Reg. No. 40,074; J. Michael Martinez, Reg. No. 37,178; David H. Milligan, Reg. No. 42,893; James R. Miner, Reg. No. 40,444; Bryan F. Moore, Reg. No. 52,044; Devin S. Morgan, Reg. No. 45,562; Kerry H. Owens, Reg. No. 37,412; Jeffrey T. Perez, Reg. No. 52,110; Michael P.F. Phelps, Reg. No. 48,654; John P. Pinkerton, Reg. No. 28,746; Laurence H. Posorske, Reg. No. 34,698; Matthew J. Pryor, Reg. No. 45,278; Andrew J. Ririe, Reg. No. 45,597; Stephen T. Schreiner, Reg. No. 43,097;

**MAIL STOP PATENT APPLICATION**

December 5, 2003

Page 4

Robert M. Schulman, Reg. No. 31,196; Thomas J. Scott, Jr., Reg. No. 27,836; Yisun Song, Reg. No. 44,487; Shelley L. Spalding, Reg. No. 51,971; Henry C. Su, Reg. No. 37,738; Rodger L. Tate, Reg. No. 27,399; Raphael A. Valencia, Reg. No. 43,216; René Vazquez, Reg. No. 38,647; Samson Vermont, Reg. No. 42,202; Robert J. Ward, Reg. No. 28,746; and Scott F. Yarnell, Reg. No. 45,245.

☒ Please remove as power of attorney: Scott D. Balderston, Reg. No. 35,436; Thomas Blasey, Reg. No. 33,475; Bradford Blaise, Reg. No. 47,429; J. Robert Brown, Jr., Reg. No. 45,438; Tyler S. Brown, Reg. No. 36,465; Dinnatia J. Doster, Reg. No. 45,268; Kevin J. Dunleavy, Reg. No. 32,024; David D'Zurilla, Reg. No. 36,776; James G. Gatto, Reg. No. 32,694; George Georgellis, Reg. No. 43,632; David M. Huntley, Reg. No. 40,309; Steven P. Klocinski, Reg. No. 39,251; Jonathan D. Link, Reg. No. 41,548; Charles B. Lobsenz, Reg. No. 37,857; Devin S. Morgan, Reg. No. 45,562; Kerry H. Owens, Reg. No. 37,412; Matthew J. Pryor, Reg. No. 45,278; Stuart I. Smith, Reg. No. 42,159; Henry C. Su, Reg. No. 37,738; Raphael A. Valencia, Reg. No. 43,216; and René Vazquez, Reg. No. 38,647.

☐ Please add as power of attorney: Stanislaus Aksman, Reg. No. 28,562; Jennifer A. Albert, Reg. No. 32,012; Thomas E. Anderson, Reg. No. 37,063; David E. Baker, Reg. No. 42,285; Carl L. Benson, Reg. No. 38,378; Thomas D. Bradshaw, Reg. No. 51,492; Brian M. Buroker, Reg. No. 39,125; Christopher C. Campbell, Reg. No. 37,291; Katherine S. Chang, Reg. No. 40,544; Robin C. Clark, Reg. No. 40,956; Trevor Q. Coddington, Reg. No. 46,633; Christopher J. Cuneo, Reg. No. 42,450; Ryan S. Davidson, Reg. No. 51,596; Patrick A. Doody, Reg. No. 35,022; Kevin T. Duncan, Reg. No. 41,495; Ozzie A. Farres, Reg. No. 43,606; Nancy J. Flint, Reg. No. 46,704; Christopher J. Forstner, Reg. No. 46,049; Charles F. Hollis, III, Reg. No. 40,650; Nancy J. Jensen, Reg. No. 45,913; David A. Kelly, Reg. No. 53,106; Herbert V. Kerner, Reg. No. 42,721; Robert C. Lampe, III, Reg. No. 51,914; Jeffrey S. Leaning, Reg. No. 51,184; Ryan S. Loveless, Reg. No. 51,970; Tyler Maddry, Reg. No. 40,074; J. Michael Martinez, Reg. No. 37,178; David H. Milligan, Reg. No. 42,893; James R. Miner, Reg. No. 40,444; Bryan F. Moore, Reg. No. 52,044; Jeffrey T. Perez, Reg. No. 52,110; Michael P.F. Phelps, Reg. No. 48,654; John P. Pinkerton, Reg. No. 28,746; Laurence H. Posorske, Reg. No. 34,698; Andrew J. Ririe, Reg. No. 45,597; Stephen T. Schreiner, Reg. No. 43,097; Robert M. Schulman, Reg. No. 31,196; Thomas J. Scott, Jr., Reg. No. 27,836; Yisun Song, Reg. No. 44,487; Shelley L. Spalding, Reg. No. 51,971; Rodger L. Tate, Reg. No. 27,399; Samson Vermont, Reg. No. 42,202; Robert J. Ward, Reg. No. 28,746; and Scott F. Yarnell, Reg. No. 45,245.

**MAIL STOP PATENT APPLICATION**

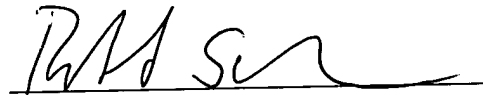
December 5, 2003

Page 5

12. ☒ A check in the amount of \$ 385.00 is enclosed. In the event any variance exists between the amount enclosed and the Patent Office charges, please charge or credit any such variance to **Deposit Account No. 50-0206**.
- ☒ The U.S. Patent and Trademark Office is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to **Deposit Account No. 50-0206**.

Respectfully submitted,

By:



Robert M. Schulman  
Registration No. 31,196  
Jeffrey T. Perez  
Registration No. 52,110

JTP/jt  
Enclosures